

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

IN RE: ) CASE NO. 16-11220-BFK  
 )  
X K SPORTS, LLC ) Chapter 11  
 )  
Debtor )  
 )  
MIDDLEBURG BANK )  
 )  
Plaintiff )  
 )  
v. )  
 )  
X K SPORTS, LLC )  
 )  
Defendant, )  
 )  
And )  
 )  
JUDY A. ROBBINS )  
TRUSTEE )  
 )  
Defendant )

**CONSENT ORDER TERMINATING THE AUTOMATIC STAY ALLOWING  
MIDDLEBURG BANK TO PROCEED AGAINST REAL ESTATE WITH AN  
ADDRESS OF 21586 ATLANTIC BOULEVARD, SUITE 130, STERLING, VA AND  
PROVIDING TERMS OF FORBEARANCE**

THIS CASE came before the Court on the Motion of Middleburg Bank, a Virginia state-chartered financial institution (“Bank”) for Relief from the Automatic Stay to proceed against real estate (docket entry #34), the Response by the Debtor (docket entry #37), and upon agreement between the Bank and Debtor, as evidenced by the endorsement of their respective counsel to this Order, and no objection by the United States Trustee or any other party in interest, upon consideration of which for good cause shown, it is

ORDERED that the automatic stay imposed by 11 U.S.C. 362(d) is hereby lifted to allow Bank to declare a default and to enforce its rights against the Debtor in accordance with the loan documents and a Credit Line Deed of Trust dated August 3, 2005 in the original principal amount of Seven Hundred Fifty-Seven Thousand Five Hundred Dollars (\$757,000.00), recorded as Instrument Number 20050804-0086750 and corrected and re-recorded as Instrument Number 20051101-0123923 and in accordance with the loan documents and the Deed of Trust dated October 24, 2011 in the original principal amount of Seven Hundred Thirty-Six Thousand Dollars (\$736,000.00), recorded as Instrument Number 20111025-0065797, all among the land records of Loudoun County, Virginia, against the real estate of the Debtor located at 21586 Atlantic Boulevard, Suite 130, Sterling, VA, which is more particularly described as:

Unit No. 130, Building A, STEEPLECHASE CENTER, A CONDOMINIUM, and the limited common elements appurtenant thereto, including limited common element parking space(s) 112-122, 185-193, established by condominium instruments recorded July 14, 2005 as Instrument No. 20050714-0075456, with plat recorded as Instrument No. 20050714-0075457, amended by Instrument No. 20050714-0075466 and any supplemental declarations and/or amendments recorded subsequent thereto, among the land records of Loudoun County, Virginia.

TOGETHER WITH an undivided percentage interest appurtenant to the Unit in all common elements of said project, as described in Declaration and subsequent amendments.

TOGETHER WITH the right of ingress and egress to and from said property, and the right to use, for all proper purposes, in common with the Declarant, its successors and assigns and all other occupants from time-to-time, any and all portions of the Condominium's General Common Elements as designated by statute.

SUBJECT TO the reservations, restrictions on use and all covenants and obligations set forth in said Declaration, recorded as Instrument No. 20050714-0075456, and any/all subsequent amendments thereto, among the said land records, and set forth in the Bylaws of the Unit Owners Association attached thereto, as they may be amended from time-to-time, all of which restrictions, conditions, assessments and all other covenants

are incorporated herein by reference and which shall be binding on said Grantee(s) and their successors, heirs and assigns (the "Property").

and it is

FURTHER ORDERED that the provisions of this Consent Order shall remain in full force and effect, notwithstanding conversion of this bankruptcy case to a case under another Chapter of the Bankruptcy Code or any subsequent case filed by the Debtor under any Chapter of the Bankruptcy Code and shall be binding on any trustee appointed in this case or any subsequent case; and it is

FURTHER ORDERED that the Bank shall forbear from exercising its rights as a secured creditor as holder of the indebtedness secured by the Deeds of Trust against the Property specified in this Order, provided:

- (i) Debtor pays to Bank the sum of Thirty Thousand Dollars (\$30,000.00) within two (2) business days after the date this Order is entered; and
- (ii) On or before October 1, 2016 Debtor pays to Bank the sum of Thirty-Four Thousand Four Hundred Ninety-Two and 13/100ths Dollars (\$34,492.13); and
- (iii) the Debtor remains current with respect to all payments due under the Bank indebtedness secured by both the First Deed of Trust and the Second Deed of Trust against Debtor's Property, commencing with all payments due on or after the date of entry of this Order; and
- (iv) On or before October 1, 2016 the Debtor pays all past due and unpaid real property taxes assessed against the Property due to the County of Loudoun, and thereafter pays timely all real estate taxes against the Property; and
- (v) In the event the Debtor fails to make any of the foregoing payments or fails to comply with any other provision of this Consent Order, the Bank's forbearance will terminate immediately.

Entered: Aug 17 2016, 2016.

/s/ Brian F. Kenney

Hon. Brian F. Kenney  
United States Bankruptcy Judge  
Entered on Docket: August 18, 2016

I ASK FOR THIS:

/s/ John B. Connor  
John B. Connor, VSB 16801  
John B. Connor, P.L.C.  
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Counsel for Middleburg Bank

SEEN AND AGREED

/s/ Thomas F. DeCaro, Jr.  
Thomas F. DeCaro, Jr., VSB 34649  
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(Counsel for Debtor)

**LOCAL RULE 9022-(C) CERTIFICATION**

I hereby certify that all necessary parties have endorsed the aforesaid Order.

/s/ John B. Connor  
John B. Connor

Cc:  
X K Sports, LLC  
c/o XiaoKui Ma  
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Ashburn, VA 20148  
(Debtor)

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Alexandria, VA 22314  
(Counsel for Chapter 11 Trustee)

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10964 Inspiration Point Place  
Manassas, VA 20112  
(Substitute Trustee)

END OF ORDER